App.F.IX-4

192 5. ✓

File No. 24 3-25-

Courts)

Serial Nos. 1

Previous References

No 3/2-21-5

Later references.

PRESERVED

Polsern

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. One

Part B for May or 26.

SUBJECT

Proposals for acting arrangements during the absence of special magistrates on leave.

Go no p. 5779-88 & 11-5-26 — Nom Regr Chief Court
" Dirs of Dists
" Comptroller

Directs that proposals for acting arrangements need not be submitted to govt during the absence of special magistrates on casual leave or other leave in conversion of casual leave not exceeding fifteen days.

Manasseeny Zenger
2/7/26

(1

3389

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Superintendent's note on the Gazette of 25-2-26

Please see page 184, Part IV of leave of Mr. Poonegar and put up the file relating to the power of the Chief Court to grant such leave

A.H.R.
24/2/26

2) Submitted with a copy of the G.O. dt. 13-10-1922, according to the [illegible] order, acting arrangements should have been made for the conduct of work the Chief Court have sanctioned the leave without making any arrangements for work.

A.H.R.
25/2/26

3) The G.O. says down that when leave for more than a week is sanctioned to a magte, proposals shd be called for as to acting arrangement for conducting work during his absence.

4) In the present instance Mr Poonegar has been granted 11 days pr leave from 3-2-26 to 13-2-26. & no reference re acting arrangements has been rcd from the Chief Court.

Instructions continued—

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

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3675

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Jorm

Mr Bleyer Lehrig Court

Letter no Roc 1072 dy 18.3.26

States that mr: Bonnejee took casual leave and applied for an extension and consequently the whole period had to be treated as privilege leave and requests that the fo. dy 13.10.22 may be made clear that it does not apply to casual leave or to cases where casual leave is converted into leave of any other kind — eg. privilege leave or furlough.

11) The explanation of the Lehrig Court seems to be convincing. Regards the suggestion that the fo. dy 13.10.22 may be made clear that it does not apply to casual leave or to cases where casual leave is converted to leave of some other kind — eg privilege leave or furlough, it is submitted it is not necessary. The preamble portion of the fo. makes it quite clear that the fo. applies to privilege leave. In case where leave is extended by driblets after in continuation of casual leave, the period of absence may extend even more than a fortnight and it is not perhaps right to keep the court without a quorum for a long time

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

3675 (4

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

(2) Under the circumstances mentioned in the ~~Chief Court~~ Registrar's letter, the Ch. Ct could not have made a reference to G.O.C.

(3) With regard to the suggestion that the ~~said~~ G.O. of 1922 should ~~not~~ be extended to Casual leave, like each ~~that~~ in the reading portion of that G.O. the G.O. of 3.9.1918 regarding the grant of privilege leave to the Chief Court were referred to, the G.O. of 1922 ~~must~~ has perhaps to be construed as referring to only privilege leave.

(4) For the same reason, in the case of subsequent conversion of Casual leave into Privilege leave, the G.O. does not seem to be applicable.

(5) Submitted with reference to para 4 of G.O. of 1922 may not be made applicable to Casual leave or to cases where casual leave is converted into privilege owing to exceptional circumstances

(6) 1st Para
I agree with remarks in letter
2nd Para
G.O. does not extend to
Dy. C. Dropped under my
[illegible]

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

3675

WD 01264—GPB—40,000—17-12-25

App. F. III—2]

General and Revenue Secretariat

File No. 113 of 1925.

DEWAN'S OFFICE
Rec'd on 14 APR 26
No. 7553

Serial No.

(7) Send with draft.

B
31/4/26
Asst
8/4

(8) Please bring w/p.
4/4

(9) Send with draft as directed
8/4/26
Asst
9/4

973
12.4

(10) Draft Sales for appl
8/4
12/4
8/4
12/4
8/4
12/4

(11) Draft
(12) To be submitted for Dewan's approval also

(12/4
8/4
13.4
13.4

(13) Dewan. If may may be cancelled - Keep view in order

17.4

Fit 2764

Fin Sect with Comp Rec

8/4
17.4
8/4
17.4
B

(14) Under the rules, casual leave cannot be taken for more than 7 days at one time and including holidays, the total period should not exceed 10 days. The meaning of the proviso in the draft Government Order is that, when an officer on casual leave has unavoidably to apply for extension of leave

NOTE—Contn. Sheet

Serial No

K 1769

DEWAN'S OFFICE
Rec'd 23 APR. 1926
Regn. No. 7795

leave exceeding the above limits, the casual leave will have to be converted to other kinds of leave and if in such cases the total period of leave including the leave already availed of does not exceed 15 days, no proposals for acting arrangement will be necessary. I think the meaning will be made clear if the word "Total" is inserted before the word 'period' in the fifth line of the order.

25 If it is the intention that the total period of 15 days should cover the gazetted holidays which may be prefixed or affixed to Privilege leave, the following alternative draft of the proviso is suggested.

" Provided that the total period of absence including such leave sanctioned in conversion of casual leave does not exceed 15 days.

Subd/ for perusal of

22.4.26

28/4

Submitted with reference to para 23

Dewan.

23.4

23.4

A. appd

5/5.

5.05

28

6.5

127

6.5

NOTE—Contn. Sheet

8.5. 25

3675-755

General and Revenue Secretariat.

No File No. 113 of 19 26

Serial No	
1	To The Registrar Chief Court The Dr Magistrates of Dls. The Comptroller. No P 5779-88 D 11-5-26. Directs that proposals for acting arrangements need not be submitted during the absence of the Magistrates on Casual leave or other leave in Conversion of Casual leave not exceeding 15 days.

Scott Miller
Recd Dpt
11
12/5

B
30/6

NOTE.—Contn. Sheet.

APP. F. VI. Gl.]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *192*

Date of issue 16/3/26

Signed by M=J

List of enclosures.....

Copied by KTh 1363

Examined by.....

Section

File No.

Seria No.

No. R4400

To The Registrar Hbrig Court

Sri

With reference to Hbrig Court's no D.dis 973 of 25.26 dt 22-3-1926 sanctioning privilege leave for 11 days to mr K Pherozeshah Poonegar B A LLB Special Asst Grade magistrate Shimoga, I am directed to invite reference to fr. no. P 2693-702/ES-312-21-5 dt 13-10-1922 directing that proposals should be submitted for acting arrangements during the absence on leave of Special magistrates exceeding a week and to ~~explain~~ request he will inform why the fr. procedure prescribed in the GO was not ~~observed~~ followed in the interim in the instant case

Overleaf etc

WD 0562—GPB—31,000—17-8-25

8/3/26

9/3

Dist Hbrig

38911

3875 P 28

Telgm:
"JUSTICE"

CHIEF COURT OF MYSORE,
Public Office Buildings, Cubbon Park,

Bangalore 18th March 1926.

R. O. C. No. 1072 / 26.
Dis.

From

A. Sreenivasaragavachari, Esq., B.A., B.L.,
Registrar, Chief Court of Mysore.

GENL. & REV. SECTT. Br. To 19 MAR. 1926 G. D. SECTION

B. NAGAPPA, Esq., Bar-at-Law.,
Secretary to Government,
Local & Legislative Depts.,
B A N G A L O R E.

Sir,

I am directed to acknowledge the receipt of your letter No.P.4400/Cts. dated 16th March 1926 re. the sanction of privilege leave for 11 days to Mr. K. Pherozesnaw Poonegar, Special Third Grade Magistrate, Shimoga, by the Chief Court and requesting to be informed why the procedure prescribed under G.O. No. P.2693-702/Cts.312-21-5 dated 13-10-1922 was not observed in his case.

In reply I am to state that Mr. Poonegar who had been granted 7 days casual leave by the District Magistrate from 3rd February 1926 to combine a Sunday on the 7th and a general holiday on the 11th, did not return to duty at the end of his casual leave (the total absence being 9 days) but seems to have applied for an extension from the 12th to the 14th. Mr.Poonegar also applied for converting the entire period of absence from 3rd to 14th into privilege leave.

I am to observe that the G.O. dated 13-10-1922 is apparently not intended to apply to absence on casual leave which under the Mysore Service Regulations is strictly speaking not an absence from duty, and the procedure mentioned therein can only be followed if the application for leave is sent up in time

time to submit proposals to Government for acting arrangements being made for the conduct of the work of the court during the absence of the Magistrate. In the present instance, as the Magistrate had already availed himself of 9 days leave plus authorized holidays, and the period of extension asked for was only 2 days it was neither possible nor necessary to suggest any acting arrangements. The Chief Court thereupon formally sanctioned the conversion of the entire period of casual leave and extension into privilege leave.

In this connection I am to bring to the notice of Government that under Articles 154 and 156, Mysore Service Regulations an officer can take at one time 7 days casual leave and combined authorized holidays with it provided the total period of absence does not exceed 10 days in all. Under the G.O. dated 13-10-1922 it is laid down that proposals for acting arrangements should be made whenever leave for more than a week is granted to a Special Magistrate. The G.O. does not state what kind of leave is referred to but it apparently does not include cases of casual leave. It may however be made clear that the G.O. does not apply to absence on casual leave, or to cases where casual leave is subsequently converted into leave of any other kind e-g. privilege leave or furlough

A copy of the District Magistrate's letter is also forwarded herewith for information.

I have the honour to be,

Sir,

Your most obedient servant,

Theemisakopasachari

REGISTRAR. 15/3/25

TKV.

4

J.C.452/25-26. Office of the District Magistrate,
Shimoga District,
Dated, Shimoga the 10th February 1926

From

The District Magistrate,
Shimoga District.

To

The Registrar,
Chief Court, Bangalore.

Sir,

I have the honour to state that Mr. K. Pherozeshaw Poonegar, B.A., LL.B., the Special 2nd Class Magistrate, Shimoga was granted casual leave for 7 days with effect from the 3rd February 1926 with permission to avail himself of the intervening Sunday on the 7th and General Holiday on the 11th February 1926 and the Special 1st Grade Magistrate was ordered to be in charge of the 2nd Grade Court during the period. Subsequent to this the Special 1st Grade Magistrate also applied for two days casual leave with permission to utilize the general holiday on the 11th instant and the same was sanctioned (12th and 13th) with the expectation that the Special 2nd Class Magistrate would return to duty at the end of his casual leave. He has applied for an extension of 3 days from the 12th to 14th instant requesting that the entire period from the 3rd to 14th may be converted as privilege leave. Under the circumstances, the leave applied for may kindly be sanctioned.

2. As there are no Special Magistrates at the District Head Quarters, the Ex-officio 1st Class Magistrate in charge of the District Treasury will be placed in charge of both the courts during the absence of the Magistrates on leave.

I have etc.,
Sd/- R. Srinivasayya Iyengar
For District Magistrate,
Shimoga District.

****

"COPY"
Aheemsadagarachari
REGISTRAR

5

Proceedings of the Govt. of H.H.
the Maharaja of Mysore.

Read:-

G.O.No.P.2693-702/Cts.312-22-5 dated 13-10-1922 directing the submission of proposals for acting arrangements during the absence on leave of Special Magistrates exceeding a week.

2. Correspondence ending with letter No. ROC.1072/25-26 dated 18-3-1926 from the Registrar, Chief Court, explaining the reasons for sanctioning privilege leave for 11 days to Mr.K.Pherozehhaw Poonegar, Special Third Grade Magistrate, Shimoga, without observing the procedure prescribed in the G.O. dated 13-10-1922 read above, and requesting that it may be made clear that the G.O.does not apply to absence on casual leave or to cases where casual leave is subsequently converted into leave of any other kind, e.g. privilege leave or furlough.

Order No. D 779-850 11/5/26

Govt. are pleased to direct that the G.O of 13-10-1922 ~~does not apply~~ is not applied to cases of casual leave or to cases where casual leave is converted into leave of any other kind provided that the total period of leave sanctioned in conversion of casual leave does not exceed 15 days.

10/4 Secretary, L.L.Deptts.

To

The Registrar, Chief Court.
" Dt.Magtes of Dts.
" Comptroller
KNN

S. O.

Government of His Highness the Maharaja of Mysore

GENERAL AND REVENUE DEPARTMENTS

G. O. No. P. 5779-88—Cts. 243-25-1, dated 11th May 1926.

Special Magistrates.

Directs that proposals for acting arrangements need not be submitted during the absence of —— on casual leave or other leave in conversion of casual leave not exceeding fifteen days.

READ—

Government Order No. P. 2693-702—Cts. 312-21-5, dated 13th October 1922, directing the submission to Government of proposals for acting arrangements during the absence on leave of Special Magistrates exceeding a week.

2. Correspondence ending with letter No. Roc. 1072—25-26, dated 18th March 1926, from the Registrar, Chief Court, explaining the reasons for sanctioning privilege leave for eleven days to Mr. K. Pherozeshaw Poonegar, Special Third Grade Magistrate, Shimoga, without observing the procedure prescribed in the Government Order dated 13th October 1922, read above, and requesting that it may be made clear that the Government Order does not apply to absence on casual leave or to cases where casual leave is subsequently converted into leave of any other kind, *e. g.*, privilege leave or furlough.

ORDER NO. P. 5779-88— CTS. 243-25-1, DATED 11TH MAY 1926.

Government are pleased to direct that the Government Order of 13th October 1922, be not applied to cases of casual leave or to cases where casual leave is converted into leave of any other kind, provided that the total period of absence including such leave sanctioned in conversion of casual leave, does not exceed fifteen days.

B. NAGAPPA,
Secretary to Government,
Local and Legislative Departments.

To—The Registrar, Chief Court.
The District Magistrates of Districts.
The Comptroller to Government.

Exd.—P. S. R. N.

W D 2333—GPB—110—22-5-26.